

Receipt Number

552645

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF MICHIGAN
DETROIT DIVISION**

LOUISE S. CAFOLLA, : :

Plaintiff, : Case: 2:07-cv-10078
v. : Assigned To: Cox, Sean F
Referral Judge: Scheer, Donald A
Filed: 01-03-2007 At 02:57 PM
REM CAFOLLA V. GULF COAST COLLECTION
BUREAU INC (TAM)

GULF COAST COLLECTION BUREAU, :
INC. : :

NOTICE OF REMOVAL

Defendant.

Now comes Defendant Gulf Coast Collection Bureau, Inc., pursuant to 28 U.S.C. §§ 1331, 1441, and 15 U.S.C. § 1692k(d), and files this Notice of Removal, and in support hereof sets forth the following grounds:

1. On or after November 28, 2006, Defendant Gulf Coast Collection Bureau, Inc., was served with Plaintiff's Complaint, a copy of which is attached hereto, in an action entitled Louise S. Cafolla v. Gulf Coast Collection Bureau, Inc. filed of record with the clerk of the 47th District Court, Michigan.
2. Plaintiff's Complaint purports to set forth a cause of action under 15 U.S.C. §§ 1692 *et seq.*
3. This Court has original jurisdiction over Plaintiff's cause of action based on 15 U.S.C. §§ 1692, *et seq.*, as set forth in 28 U.S.C. § 1331 and 15 U.S.C. § 1692k(d). Pursuant to 28 U.S.C. § 1441, therefore, the civil action pending in the 47th District Court, Michigan., is removable to this Court.
4. Along with this Notice of Removal, Defendant is filing its Answer to Plaintiff's Complaint with the Clerk of the United States District Court for the Eastern

District of Michigan.

5. Thirty (30) days have not yet expired since receipt of Plaintiff's Complaint.
6. Copies of all process, pleadings and orders served upon Defendant in this action are attached hereto.
7. Defendant has provided written notice of the filing of this Notice of Removal to Plaintiff by ordinary mail on this date and has also forwarded a Notice for filing with the clerk of 47th District Court, Michigan regarding this Notice of Removal.

WHEREFORE, Defendant prays that the above-captioned action now pending in 47th District Court, Michigan, be removed therefrom and placed on the regular docket of the United States District Court for the Eastern District of Michigan.

Respectfully submitted,



Jeffrey C. Turner (OH # 0063154)
Boyd W. Gentry (OH # 0071057)
SURDYK, DOWD & TURNER CO., L.P.A.
Kettering Tower Suite 1610
40 N. Main Street
Dayton, OH 45423
Tel.: (937) 222-2333
Fax: (937) 222-1970
jturner@sdtlawyers.com
bgentry@sdtlawyers.com
Trial Attorneys for Defendant

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a copy of the foregoing was served via U.S. mail to the following on December 28, 2006:

Brian P. Parker, Esq.,
30700 Telegraph Road, Suite 1580
Bingham Farms, MI 48025
Attorney for Plaintiff

Jeff Smolek
Venture Plaza 3150 Livernois, Suite 335
Troy, Michigan 48083
jsmolek@paludasmolek.com
Attorney for Defendant in the
47th District Court, Michigan



Jeffrey C. Turner (OH # 0063154)
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Kettering Tower Suite 1610
40 N. Main Street
Dayton, OH 45423
Tel.: (937) 222-2333
Fax: (937) 222-1970
jturner@sdtlawyers.com
bgentry@sdtlawyers.com
Trial Attorneys for Defendant

SUMMONS AND COMPLAINT
Case No. _____

PROOF OF SERVICE

TO PROCESS SERVER: You are to serve the summons and complaint not later than 91 days from the date of filing. You must make and file your return with the court clerk. If you are unable to complete service you must return this original and all copies to the clerk.

CERTIFICATE / AFFIDAVIT OF SERVICE / NON-SERVICE

OFFICER CERTIFICATE

OR

AFFIDAVIT OF PROCESS SERVER

I certify that I am a sheriff, deputy sheriff, bailiff, appointed court officer, or attorney for a party [MCR 2.104(A)(2)], and that: (any officer required)

Being first duly sworn, I state that I am a legally competent adult who is not a party or an officer of a corporate party, and that: (any officer required)

I served personally a copy of the summons and complaint.
 I served by registered or certified mail (copy of return receipt attached) together with _____ on the defendant(s):

a copy of the summons and complaint.

Attachment

Names	Complete address(es) of service	Day, date, time
*	*	*
*	*	*
*	*	*

After diligent search and inquiry, I have been unable to find and serve the following defendant(s): _____

I have made the following efforts in attempting to serve process: _____

I have personally attempted to serve the summons and complaint, together with _____

Attachment

at _____ and have been unable to complete service because

Address
the address was incorrect at the time of filing.

Review fee \$	Miss-traveled \$	Mileage fee \$	Meal fee \$
*			

Signature

Title _____

Subscribed and sworn to before me on _____ * _____ County, Michigan.

My commission expires: * _____ Signature: _____

Date _____

Deputy court clerk/Notary public

ACKNOWLEDGMENT OF SERVICE

I acknowledge that I have received service of the summons and complaint and required fees, if any, together with:

Attachment _____ on _____
Day, date, time _____

Signature _____ on behalf of _____

MCR 2.105

**IN THE 47TH DISTRICT COURT
FOR THE STATE OF MICHIGAN**

LOUISE S. CAFOLLA

Plaintiff,

**Case No.
Hon.**

-vs-

GULF COAST COLLECTION BUREAU, INC

Defendant.

LAW OFFICES OF BRIAN P. PARKER, P.C.

BRIAN P. PARKER (P48617)

Attorney for Plaintiff

30700 Telegraph Road, Suite 1580

Bingham Farms, MI 48025

(248) 642-6268

(248) 642-8875 (Fax)

lemonlaw@americitech.net

www.collectionstopper.com

COMPLAINT AND DEMAND FOR JURY

Plaintiff, **LOUISE S. CAFOLLA** (Plaintiff), by and through counsel, brings this action against the above listed Defendants, **GULF COAST COLLECTION BUREAU, INC** ("Defendant"), on the grounds and in the amounts set forth herein:

I. PRELIMINARY STATEMENT

The plaintiff brings this action for damages based upon the Defendant's violations of the Fair Debt Collection Practices Act (FDCPA), 15 U.S.C. § 1692 *et seq.*, and seeks actual damages, punitive damages, costs and attorney's fees.

II. PARTIES

1.

The plaintiff is a natural person and consumer, a resident of Farmington Hills, Oakland County, Michigan, and a "consumer" as defined by 15 U.S.C. § 1692a(3).

2.

The defendant is a Foreign Corporation in the State of Florida. Defendant has made all contacts with Plaintiff in Farmington Hills, State of Michigan.

3.

The defendant is engaged in the collection of debts from consumers using the mail and telephone. The defendants regularly attempt to collect consumer debts alleged to be due another and is a "debt collector" as provided in 15 U.S.C. § 1692a(6). Defendant and Defendant representatives are not licensed to collect debts in the State of Michigan.

III. JURISDICTION AND VENUE

4.

This court has subject matter jurisdiction over this Complaint pursuant to FDCPA, 15 U.S.C. § 1692 *et seq.* The venue is proper in any court of competent jurisdiction under 15 U.S.C. § 1692k(d). The court may also exercise supplemental jurisdiction over the related state law claims arising out of the same nucleus of operative facts that give rise to any federal law claims under 28 U.S.C. 1337.

IV. STATUTORY STRUCTURE

FAIR DEBT COLLECTION PRACTICES ACT (FDCPA)

5.

The FDCPA was passed to eliminate abusive debt collection practices by debt collectors, to insure that those debt collectors who refrain from using abusive debt collection practices are

not competitively disadvantaged, and to promote consistent State action to protect consumers against debt collection abuse. 15 U.S.C. § 1692.

6.

Under the FDCPA, a "consumer" is any natural person obligated or allegedly obligated to pay any debt. 15 U.S.C. §1692a(3).

7.

Under the FDCPA, "debt" means any obligation or alleged obligation of a consumer to pay money arising out of a transaction in which the money, property, insurance, or services which are the subject of the transaction are primarily for personal, family, or household purposes. 15 U.S.C. § 1692a(5).

8.

Under the FDCPA, a "debt collector" is any person who uses any instrumentality of interstate commerce or the mails in any business the principal purpose of which is the collection of any debts, or who regularly collects or attempts to collect, directly or indirectly, debts owed or due or asserted to be owed or due to another. 15 U.S.C. § 1692a(6).

9

A debt collector may not use any false, deceptive, or misleading representation or means in connection with the collection of any debt. 15 U.S.C. § 1692e.

10.

A debt collector may not violate the FDCPA, 15 U.S.C. § 1692e(5) by threatening Plaintiff with a lawsuit that was not possible given that the Defendant is threatening Plaintiff for a debt she does not owe and the Defendant has not responded to Plaintiff's validation request.

11.

Any debt collector who fails to comply with the provisions of the FDCPA is liable for any actual damages sustained, statutory damages up to \$1,000.00, attorneys' fees as determined by the Court and costs of this action. 15 U.S.C. § 1692k.

12.

The Michigan Collection Practices Act (MCPA), MCLA 445.251 et seq. is an act to regulate the collection practices of certain persons; to provide for the powers and duties of certain state agencies; and to provide penalties and civil fines.

13.

A "Collection agency" means a person directly or indirectly engaged in soliciting a claim for collection or collecting or attempting to collect a claim owed or due or asserted to be owed or due another, or repossessing or attempting to repossess a thing of value owed or due or asserted to be owed or due another person, arising out of an expressed or implied agreement. MCLA 445.251 (1) (b).

14.

A "Consumer" or "debtor" means a natural person obligated or allegedly obligated to pay a debt. MCLA 445.251 (1)(d).

15.

Prohibited acts by debt collectors or collection agencies under MCLA 445.252 include:

- (a) Communicating with a debtor in a misleading or deceptive manner, such as using the stationery of an attorney or credit bureau unless the regulated person is an attorney or is a credit bureau and it is disclosed that it is the collection department of the credit bureau.
- (b) Using forms or instruments which simulate the appearance of judicial process.

- (d) Using forms that may otherwise induce the belief that they have judicial or official sanction.
- (e) Making an inaccurate, misleading, untrue, or deceptive statement or claim in a communication to collect a debt.
- (f) Misrepresenting in a communication with a debtor 1 or more of the following:
 - (i) The legal status of a legal action being taken or threatened.
 - (ii) The legal rights of the creditor or debtor.
 - (iii) That the nonpayment of a debt will result in the debtor's arrest or imprisonment, or the seizure, garnishment, attachment, or sale of the debtor's property.
- (g) Communicating information relating to a debtor's indebtedness to an employer or an employer's agent unless the communication is specifically authorized in writing by the debtor subsequent to the forwarding of the claim for collection, the communication is in response to an inquiry initiated by the debtor's employer or the employer's agent, or the communication is for the purpose of acquiring location information about the debtor.
- (h) Failing to implement a procedure designed to prevent a violation by an employee.
- (i) Employing a person required to be licensed under article 9 of Act No. 299 of the Public Acts of 1980, being sections 339.901 to 339.916 of the Michigan Compiled Laws, to collect a claim unless that person is licensed under article 9 of Act No. 299 of the Public Acts of 1980.
- (j) Using a harassing, oppressive, or abusive method to collect a debt.

16.

Under The Michigan Collection Practices Act, MCLA 445.257 et seq.(1) A person who suffers injury, loss, or damage, or from whom money was collected by the use of a method, act, or practice in violation of this act may bring an action for damages or other equitable relief.(2) In an action brought pursuant to subsection (1), if the court finds for the petitioner, recovery shall be in the amount of actual damages or \$50.00, whichever is greater. If the court finds that the method, act, or practice was a wilful violation, the court may assess a civil fine of not less than 3 times the actual damages, or \$150.00, whichever is greater, and shall award reasonable attorney's fees and court costs incurred in connection with the action.

V. FACTUAL ALLEGATIONS

17.

In 2006, Plaintiff started to receive calls and letters from Defendant for a debt she disputes as not owed. Defendant's representative, Jim Williams, contacted Plaintiff in March and April seeking money for a medical debt.

18.

Defendant's representative, Jim Williams, stated he was from a debt collector but at no time did he follow the FDCPA, 15 U.S.C. § 1692g(a) requirements notifying Plaintiff of her validation rights. Plaintiff did not receive anything in writing from Defendant's within five days thereafter. Plaintiff disputed the debt with Mr. Williams.

19.

In May of 2006, Plaintiff received a letter from Defendant. Please see Exhibit 1.

20.

Defendant did not contact Plaintiff in writing within five days of the initial communication

with Plaintiff in March of 2006. The letter at Exhibit 1 that Plaintiff received in May of 2006, did not contain the mandatory "mini miranda" language of 1692g(a) that requires

- (3) a statement that unless the consumer, within thirty days after receipt of the notice, disputes the validity of the debt, or any portion thereof, the debt will be assumed to be valid by the debt collector;
- (4) a statement that if the consumer notifies the debt collector in writing within the thirty-day period that the debt, or any portion thereof, is disputed, the debt collector will obtain verification of the debt or a copy of a judgment against the consumer and a copy of such verification or judgment will be mailed to the consumer by the debt collector; and
- (5) a statement that, upon the consumer's written request within the thirty-day period, the debt collector will provide the consumer with the name and address of the original creditor, if different from the current creditor.

21.

On or about May 23, 2006, Plaintiff sent a certified letter to Defendant stating that "I dispute -Validation requested-Do not call-Cease Collection Activity." Please see Exhibit 2.

20.

On or about May 30, 2006, Plaintiff received a letter from Defendant acknowledging receipt of the May 23, 2006 correspondence and the letter further stated that the account would be "reported to the Consumer Credit Reporting Agencies as a disputed collection account until you remove the dispute or otherwise settle this account." Please see Exhibit 3.

21.

In October of 2006 Plaintiff discovered that the debt was on her credit report and marked as "derogatory" and not marked "disputed" as the law requires and Defendant acknowledged. Please

see Exhibit 4. Plaintiff wrote a letter to complain and dispute this credit reporting with her "Intent to Sue" letter. Please see Exhibit 5. Plaintiff checked her credit again in November of 2006 and discovered that the trade line was still listed as "derogatory." Please see Exhibit 6

22.

As a result of Defendant's wrongful conduct, Plaintiff has suffered statutory, actual, emotional and financial damages and also seeks his attorney fees and costs under the FDCPA and MCPA.

VI. CAUSES OF ACTION

CLAIM AGAINST DEFENDANT UNDER THE FDCPA AND MCPA

23.

Defendant has violated the FDCPA, 15 U.S.C. §1692e(2) by falsely representing the character, amount or legal status of any debt here.

24.

Defendant has violated the FDCPA, 15 U.S.C. § 1692g(a) by failing to alert Plaintiff as to the 30-day validation notice rights of the Plaintiff in the initial communication.

25.

The defendant has violated the FDCPA, 15 U.S.C. § 1692v (10) by the use of false representations and deceptive means in pursuing Plaintiff for a debt that was not validated.

26.

The defendant has violated the FDCPA, 15 U.S.C. § 1692f(1) by seeking to collect any amount (including interest, fee, charge, or expense incidental to the principal obligation) not authorized by the agreement and not signed by Plaintiff that creates the debt.

27.

Defendant has violated the FDCPA, 15 U.S.C. § 1692e(8) communicating credit information which is known to be false and disputed to the credit reporting bureaus.

28.

Defendant has violated MCLA 445.252 (a) with the use of false representations and deceptive means in his contact of Plaintiff.

29.

Defendant has violated MCLA 445.252 (f), (I) and (ii) by misrepresenting the legal status of the debt and the collection status.

30.

Defendant has violated MCLA 445.252 (a), (c), (I), (n) and (q) in making an inaccurate, misleading and untrue statement regarding the legal rights of Plaintiff in collecting the debt.

31.

Defendant has violated MCLA 445.252 (s) in that Defendant and Defendant employees are collecting debts in the State of Michigan without a license with the State of Michigan Collection Licensing Bureau.

32.

Under MCLA 445.257 et seq., Plaintiff is eligible for equitable relief, treble damages and his attorney fees and costs, and further statutory damages under the act.

33.

As a result of the actions of Defendant, Plaintiff hired the undersigned counsel. Counsel has been an attorney in good standing for almost 13 years and has

handled thousands of consumer cases, personally. Counsel is known in his field of a consumer advocate and a competent, experienced consumer trial attorney. As a result, counsel's time is billed at the reasonable rate of \$350.00 an hour.

VII. PRAYER FOR RELIEF

WHEREFORE, Plaintiff prays that the Court grants the following relief against the Defendant:

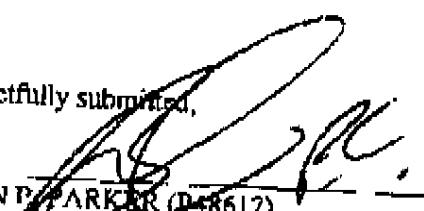
1. For compensatory damages;
2. For statutory damages;
3. For punitive damages;
4. For attorneys' fees and costs incurred in this action;
5. For Triple Damages under the MCPA, and
5. For such other and further relief as the Court may deem just and proper.

JURY TRIAL DEMAND

Plaintiff demands a Trial by Jury on all issues.

This 28th day of November, 2006.

Respectfully submitted,


BRIAN P. PARKER (D48617)
Attorney for Plaintiff

5630 Marquesas Circle
Sarasota FL 34233-3331
FORWARDING SERVICE REQUESTED

**GULF COAST
COLLECTION BUREAU**

May 11, 2006

04-009 52851 7572

Louise Calotta

Louise Calott

GULF COAST COLLECTION BUREAU INC
6630 Marquesas Circle
Sarasota FL 34233-3331

Master Account #: 284
Total Amount: \$02/04/06

Font One Database

****Detach Upper Portion And Return With Payment****

Please Call (941) 684-1710 or (877) 827-4820



ACA
International
Academy
of
Cosmetology

Creditors Orthotis

Account ■

Reverendines

Ant. Quach
(1906.0)

Surv Date
02/04/08

REMINDER

This letter is intended to update you with regard to the current balance on your account. Please return this statement with your next payment. We have included an envelope for your convenience.

This is a communication from a debt collector. This is an attempt to collect a debt, and any information obtained will be used for that purpose.

If you wish to pay by VISA, MasterCard or Discover, fill in the information below and return the entire letter to us. You **MUST** include the 3-digit security number, found on the back of your credit card.

You MUST include the 3-digit security number, located on the back of your credit card.				<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Account Number		1-Digit Security #	Payment Amount		Expiration Date		
1	2	3	\$	4	5	6	7

Card Holder Name

Structure of Card Holder

四

5-23-06 I dispute -
validation requested
DO NOT CALL
Cease collection activity
Yours Cefolla

6830 Marquesas Circle
Sarasota FL 34233-3331
FORWARDING SERVICE REQUESTED

**GULF COAST
COLLECTION BUREAU
INC**
Exhibit #2

May 11, 2006

284-00P 52851 7572
Louise Catella
[REDACTED]

GULF COAST COLLECTION BUREAU INC
6830 Marquesas Circle
Sarasota FL 34233-3331

[REDACTED]

Master Account #: 284
Total Amount: \$02/04/06

Final Due Balance

Detach Upper Portion And Return With Payment

Please Call (941) 684-1710 or (877) 827-4820



Creditor
Orthotic & Prosthetic C

Account #
0941

Regarding

Amt Owed
1906.00
Recv Date
02/04/06

REMINDER

This letter is intended to update you with regard to the current balance on your account. Please return this statement with your next payment. We have included an envelope for your convenience.

This is a communication from a debt collector. This is an attempt to collect a debt, and any information obtained will be used for that purpose.

If you wish to pay by VISA, MasterCard or Discover, fill in the information below and return the entire letter to us.
You MUST include the 3-digit security number, found on the back of your credit card.

Account Number

3-Digit
Security #

Payment Amount

Expiration Date

1	2	3	4	5	6	7	8	9	0
---	---	---	---	---	---	---	---	---	---

Card Holder Name
Louise Catella

Signature of Card Holder

Date

5-23-06
I dispute
Validation requested
DO NOT CALL
Cease collection activity
Louise Catella

SEND A REPLY CARD IN THIS SECTION		Cover of U.S. Postage Paid Mailer	
<ul style="list-style-type: none"> ■ Complete items 1, 2, and 3. Also complete Item 4 if Restricted Delivery is desired. ■ Print your name and address on the reverse so that we can return the card to you. ■ Attach this card to the back of the mailpiece, or on the front if space permits. 		<p>A. Received by (Please Print Clearly) <i>M. Miller</i> B. Mailed Delivery <i>3/6/08</i></p> <p>C. Signature <i>M. Miller</i></p> <p>X D. Is delivery address different from item 1? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No E. If YES, enter delivery address below: <input type="checkbox"/> No</p> <p>1. Article Addressed to:</p> <p><i>Gulf Coast Collection Bureau, Inc. 5630 Margaritas Cr Sarasota, FL 34238-3331</i></p> <p>3. Service Type</p> <p><input checked="" type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail <input type="checkbox"/> Registered <input type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D. 4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes</p> <p>2. Article Number <i>7001 1140 0002 1385 6595</i> <i>(Manually from service label)</i></p>	
<p>PS Form 3811, March 2001 Optional Return Receipt 102-506-01-04-142</p>			

[REDACTED] 294.
Exhibit #3

Gulf Coast Collection Bureau, Inc.

5630 Marquesas Circle Sarasota, FL 34233

May 30th, 2006

CAFOLLA, LOUISE
[REDACTED]

Re: ORTHOTIC & PROSTHETIC CTR

Dear Mr./Mrs. CAFOLLA

We are in receipt of your letter dated May 23, 2006. We have updated the status of this account to a disputed status. We have investigated the nature of this dispute and have determined that this balance is valid, due, and owing. This account will be reported to the Consumer Credit Reporting Agencies as a disputed collection account until you remove the dispute or otherwise settle this account.

Please contact me at 866-505-5711 if you wish to discuss this matter further.

Thank you,

Jim Williams

Jim Williams, Account Manager
Gulf Coast Collection Bureau, Inc.

"This is an attempt to collect a debt, and any information obtained
will be used for that purpose."

Online Personal Credit Reports & Credit Scores - TrueCredit

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Exhibit #4

DAIMLERCHRYSLER

Account No.:	9274**	Condition:	Closed
Balance:	\$0	Type:	Lease
Pay Status:	Current	Past Due:	\$0
High Balance:	\$11299	Terms:	
Limit:		Payment:	\$313
Opened:	06/01/1998	Reported:	06/01/2001
Responsibility:	Individual		

Late Payments (last 7 years):

30 Days Late:	3
60 Days Late:	0
90 Days Late:	0

Two Year Payment History:

TransUnion  X

Jan Feb Mar Apr May Jun Jul Aug Sep Oct Nov Dec '00 Feb Mar Apr May Jun Jul Aug Sep Oct Nov Dec '01 Feb Mar Apr May

Remarks:

[TransUnion] Closed

VERIZON FL

Account No.:	31*	Condition:	Open
Balance:		Type:	Utility company
Pay Status:	Current	Past Due:	
High Balance:		Terms:	
Limit:		Payment:	
Opened:		Reported:	04/30/2008
Responsibility:	Individual		

Late Payments (last 7 years):

30 Days Late:	0
60 Days Late:	0
90 Days Late:	0

Two Year Payment History:

TransUnion  X

Apr May Jun Jul Aug Sep Oct Nov Dec '00 Feb Mar Apr May Jun Jul Aug Sep Oct Nov Dec '01 Feb Mar

Remarks:

[TransUnion]

Other Accounts: Accounts in which the exact category is unknown

None Reported

Collection Accounts: Accounts seriously past due

GULF CST COL

Account No.:	3477	Original Creditor:	MED102 ORTHOTIC PROSTHETIC CTR
Responsibility:	Individual	Condition:	Degradatory
Original Balance:	\$1806	Balance:	\$1806
Date Opened:	04/26/2006	Date Reported:	09/01/2006

Remarks:

Exhibit #5

Louise Cafolla

[REDACTED]
[REDACTED]
FAX 248 855-6541

Intent to Sue

October 20, 2006

ATTN: Jack W. Brown
Registered Agent
Gulf Coast Collection Bureau, Inc.
5630 Marquesas Circle
Sarasota, FL 34233

RE: Acct. [REDACTED] 294

TO WHOM IT MAY CONCERN:

I recently received a copy of my credit report and see that you have inserted an account, which contains several willful inaccuracies. This letter is my notice to you of my intent to sue Gulf Coast Collection Bureau, Inc. It is also your opportunity to avoid the additional time and expense you will incur defending yourself.

First violation, in spite of your May 30, 2006 letter acknowledging this is a disputed account and should be reported as in dispute, you have not reported the disputed status as required by 15 USC § 1681s-2.

Second violation, you reported an inaccurate DATE OPENED. I have recorded phone messages left by your organization which substantially pre date April 26, 2006.

Third violation, 15 USC § 1692g requires you to provide me a statement of my rights within 3 days of your initial contact. You have never provided such a statement.

Fourth violation, your initial WRITTEN communication, May 11, 2006, does contain a notice you are a debt collector, but does not provide any notice to me of my right to dispute or request validation.

Each of the above is also a violation Michigan law (see MCL 339.917(k)). As such, I am entitled to further recovery under Michigan statutes. Should I file a complaint with the state Attorney General you could be fined \$2,500.00 for each violation.

My suit will seek \$2,000.00 in statutory damages for the two FCRA violations and \$1,000.00 for the FDCPA violations plus my actual damages plus your liabilities under Michigan law plus costs and attorney's fees. My attorney dues in United States Federal Court for the Eastern District of Michigan. He charges \$300.00 per hour.

You have a choice. You can settle now or after I file suit. By settling now you save your legal costs, my attorney's fees and all your liabilities under Michigan law.

To settle now, forward your settlement check, payable to me, in the amount of \$3,000.00 along with a properly executed copy of the enclosed settlement agreement.

I will wait twenty-one (21) days from your receipt of this letter before instructing my attorney to file suit. All further communication between us shall remain in writing.

Give this the serious attention it deserves.

Sincerely,



Louise Cafolla

Attached: Settlement Agreement

Williams Personal Credit Reports & Credit Scores - TrueCredit

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GULF CST COL

Exhibit #6

Account No.:	8477	Original Creditor:	MED102 ORTHOTIC PROSTHETIC CTR
Responsibility:	Individual	Condition:	Derogatory
Original Balance:	\$1906	Balance:	\$1906
Date Opened:	04/26/2006	Date Reported:	11/03/2006
Remarks:			
[Redacted] Account closed by consumer			

INVESTIGATIVE INFORMATION

None Reported

INQUIRIES

Creditor Name	Date of Inquiry	Credit Bureau
DAIMLERCHRYSL	11/14/2006	TransUnion
CSC MTG	10/31/2006	TransUnion
Seals/CBSO	07/02/2006	TransUnion
DAIMLERCHRYGL	03/31/2006	TransUnion
HSBC/ALCITY	12/11/2004	TransUnion

CFC BIFOR CONTACTS

Creditor Name

Creditor Name	Address	Phone Number
ABN-AMRO	2600 W BIG BEAVER M0904 470 RESEARCH TROY, MI 48084	(248) 457-5234
AMERICAN EXPRESS	P O BOX 297871 FORT LAUDERDALE, FL 33329	(800) 874-2717
AMERICAN GENERAL FINANCE	P O BOX 59 EVANSVILLE, IN 47701	
AMERICAN SUZUKI AUTOMOT/	PO BOX 680020 / 20 FRANKLIN, TN 37068	
BANK OF AMERICA	PO BOX 1598 NORFOLK, VA 23501	(800) 444-8430
BANK OF AMERICA MBNA	PO BOX 17054 WILMINGTON, DE 19884	(800) 421-2110
CHASE BANK USA NA	BANK ONE CARD SERV 800 BROOKSEDGE BLV WESTERVILLE, OH 43081	(800) 949-2006
CITIBANK SO NA	POB 6241 SIOUX FALLS, SD 57117	(800) 950-5116
COMERICA BANK	POB 2928 TOLEDO, OH 43606	
DAIMLERCHRYSLER LLC	P O BOX 9223 FARMINGTON HILL, MI 48333	
DAIMLERCHRYSLER FIN SVC/AM/LL	P O BOX 5055 SOUTHFIELD, MI 48086	

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DISCOVER FINANCIAL SERV	POB 15316
ELAN FINANCIAL SVCS	WILMINGTON, DE 19880
FASHION BUG	CB DISPUTES PO BOX 108 SAINT LOUIS, MO 63166
FIRST USA BANK N.A.	PO BOX 84073 COLUMBUS, GA 31908
GEM/JC PENNEY	CORRESPONDENCE P O BOX 8550 WILMINGTON, DE 19898
GEM/JCPENNEY	PO BOX 881127 EL PASO, TX 79988
GEM/MERVYN'S	PO BOX 881127 EL PASO, TX 79988
GULF COAST COLLECTION BU	PO BOX 881127 EL PASO, TX 79988
HSBC VALUE CITY DEPT	ATTN ROY DILLARD 3671 WEBBER (866) 753-7487 STREET SARASOTA, FL 34292
HSBC VALUE CITY DEPT STO	P O BOX 15518 WILMINGTON, DE 19860
KOHL'S DEPARTMENT STORE	POB 15521 WILMINGTON, DE 19865
LASALLE BANK	N56 W17000 RIDGE MENOMONEE FALL, WI 53061
MACYS DEPARTMENT STORES	2800 W BIG BEAVER TROY, MI 48084
MARSHALL FIELD'S	3039 CORNWALLIS RD DURHAM, NC 27708
NATIONAL CITY BANK	P O BOX 1528 MARYLAND HEIGHT, MO 63043
NATIONAL CITY CARD SERV	KA182 P O BOX 600 PORTAGE, MI 49081
NATIONALCITYBANK/GSCMTO	KA182 ZJ ONE NCC PKWY KALAMAZOO, MI 49008
RNB-DAYTON/HUDSON/PIEDE	208 W FOURTH ST CREDIT AV EMPIRICA CINCINNATI, OH 45202
SAFECO	3701 WAYZATA BLVD MAIL STOP 2 (800) 659-2396 CF MINNEAPOLIS, MN 55416
TARGET NATIONAL BANK	P O BOX 6 BOISE, ID 83707
THE LIMITED	3701 WAYZATA BLVD 2CP MINNEAPOLIS, MN 55416
VERIZON FL	PO BOX 337001 NORTHGLENN, CO 80233
WELLS FARGO HOME MORTGAG	PO BOX 165018 COLUMBUS, OH 43218 4680 HALLMARK PKY SAN BERNARDINO, CA 92407

This cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by the local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of maintaining the civil docket sheet. (SEE INSTRUCTIONS ON THE REVERSE OF THE FORM.)

(a) PLAINTIFFS

Louise S. Cafolla

(b) County of Residence of First Listed Plaintiff Oakland County
(EXCEPT IN U.S. PLAINTIFF CASES)(c) Attorney's (Firm Name, Address, and Telephone Number)
Brian P. Parker, The Law Offices of Brian P. Parker PC, 30700 Telegraph Road, Suite 1580, Bingham Farms, MI 48025 (248) 642-6268

DEFENDANTS

Gulf Coast Collection Bureau, Inc.

County of Residence of First Listed Defendant _____
(IN U.S. PLAINTIFF CASES ONLY)

NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE LAND INVOLVED.

Attorneys (If Known)

Jeffrey C. Turner and Boyd W. Gentry, Surdyk, Duwd & Turner Co., L.P.A., Kettering Tower Suite 1610, 40 N. Main St., Dayton, Ohio 45423 (937) 222-2333

II. BASIS OF JURISDICTION (Select One Box Only)

1 U.S. Government Plaintiff 3 Federal Question (U.S. Government Not a Party)

2 U.S. Government Defendant 4 Diversity (Indicate Citizenship of Parties in Item III)

III. CITIZENSHIP OF PRINCIPAL PARTIES (Select One Box for Plaintiff)
(For Div.)

Citizen of Th

Citizen of An

Citizen or Sub
Foreign Co

Case: 2:07-cv-10078
Assigned To: Cox, Sean F
Referral Judge: Scheer, Donald A
Filed: 01-03-2007 At 02:57 PM
REM CAFOLLA V. GULF COAST COLLECTION BUREAU INC (TAM)

IV. NATURE OF SUIT (Select One Box Only)

CONTRACT	TORTS	FORFEITURE	STATUTES
<input type="checkbox"/> 110 Insurance	<input type="checkbox"/> PERSONAL INJURY	<input type="checkbox"/> PERSONAL INJURY	<input type="checkbox"/> 400 State Reapportionment
<input type="checkbox"/> 120 Marine	<input type="checkbox"/> 310 Airplane	<input type="checkbox"/> 362 Personal Injury - Med. Malpractice	<input type="checkbox"/> 410 Antitrust
<input type="checkbox"/> 130 Miller Act	<input type="checkbox"/> 315 Airplane Product Liability	<input type="checkbox"/> 365 Personal Injury - Product Liability	<input type="checkbox"/> 430 Banks and Banking
<input type="checkbox"/> 140 Negotiable Instrument	<input type="checkbox"/> 320 Assault, Libel & Slander	<input type="checkbox"/> 368 Asbestos Personal Injury Product Liability	<input type="checkbox"/> 450 Commerce
<input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment	<input type="checkbox"/> 330 Federal Employers' Liability	<input type="checkbox"/> 370 Other Fraud	<input type="checkbox"/> 460 Deportation
<input type="checkbox"/> 151 Medicare Act	<input type="checkbox"/> 340 Marine Product Liability	<input type="checkbox"/> 371 Truth in Lending	<input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations
<input type="checkbox"/> 152 Recovery of Defaulted Student Loans (Excl. Veterans)	<input type="checkbox"/> 345 Marine Product Liability	<input type="checkbox"/> 380 Other Personal Property Damage	<input type="checkbox"/> 480 Consumer Credit
<input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits	<input type="checkbox"/> 350 Motor Vehicle	<input type="checkbox"/> 385 Property Damage Product Liability	<input type="checkbox"/> 490 Cable/Sat TV
<input type="checkbox"/> 160 Stockholders' Suits	<input type="checkbox"/> 355 Motor Vehicle Product Liability	<input type="checkbox"/> 390 Other Personal Injury	<input type="checkbox"/> 510 Selective Service
<input type="checkbox"/> 190 Other Contract	<input type="checkbox"/> 360 Other Personal Injury	<input type="checkbox"/> 410 Agriculture	<input type="checkbox"/> 850 Securities/Commodities/ Exchange
<input type="checkbox"/> 195 Contract Product Liability		<input type="checkbox"/> 422 Appeal 28 USC 158	<input type="checkbox"/> 875 Customer Challenge
<input type="checkbox"/> 196 Franchise		<input type="checkbox"/> 423 Withdrawal 28 USC 157	<input type="checkbox"/> 12 USC 3410
REAL PROPERTY		PROPERTY RIGHTS	
<input type="checkbox"/> 210 Land Condemnation	<input type="checkbox"/> 441 Voting	<input type="checkbox"/> 820 Copyrights	<input type="checkbox"/> 890 Other Statutory Actions
<input type="checkbox"/> 220 Foreclosure	<input type="checkbox"/> 442 Employment	<input type="checkbox"/> 830 Patent	<input checked="" type="checkbox"/> 91 Agricultural Acts
<input type="checkbox"/> 230 Rent Lease & Eviction	<input type="checkbox"/> 443 Housing/ Accommodations	<input type="checkbox"/> 840 Trademark	<input type="checkbox"/> 892 Economic Stabilization Act
<input type="checkbox"/> 240 Torts to Land	<input type="checkbox"/> 444 Welfare	<input type="checkbox"/> 710 Fair Labor Standards Act	<input type="checkbox"/> 893 Environmental Matters
<input type="checkbox"/> 245 Tort Product Liability	<input type="checkbox"/> 445 Amer. w/Disabilities - Employment	<input type="checkbox"/> 720 Labor/Mgmt. Relations	<input type="checkbox"/> 894 Energy Allocation Act
<input type="checkbox"/> 290 All Other Real Property	<input type="checkbox"/> 446 Amer. w/Disabilities - Other	<input type="checkbox"/> 730 Labor/Mgmt. Reporting & Disclosure Act	<input type="checkbox"/> 895 Freedom of Information Act
	<input type="checkbox"/> 440 Other Civil Rights	<input type="checkbox"/> 740 Railway Labor Act	<input type="checkbox"/> 900 Appeal of Fee Determination Under Access to Justice
		<input type="checkbox"/> 790 Other Labor Litigation	<input type="checkbox"/> 950 Constitutionality of State Statutes
		<input type="checkbox"/> 791 Empl. Ret. Inc. Security Act	
CIVIL RIGHTS		FEDERAL TAX SUITS	
<input type="checkbox"/> 410 Land Condemnation	<input type="checkbox"/> 510 Motions to Vacate Sentence	<input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant)	
<input type="checkbox"/> 420 Foreclosure	<input type="checkbox"/> 520 General	<input type="checkbox"/> 871 IRS—Third Party 26 USC 7609	
<input type="checkbox"/> 430 Rent Lease & Eviction	<input type="checkbox"/> 535 Death Penalty		
<input type="checkbox"/> 440 Torts to Land	<input type="checkbox"/> 540 Mandamus & Other		
<input type="checkbox"/> 450 Tort Product Liability	<input type="checkbox"/> 550 Civil Rights		
<input type="checkbox"/> 460 All Other Real Property	<input type="checkbox"/> 555 Prison Condition		

V. ORIGIN

(Select One Box Only)

1 Original Proceeding 2 Removed from State Court 3 Remanded from Appellate Court 4 Reinstated or Reopened 5 Transferred from another district (specify) 6 Multidistrict Litigation 7 Appeal to District Judge from Magistrate Judgment

Cite the U.S. Civil Statute under which you are filing (Do not cite jurisdictional statutes unless diversity):
15 USC section 1692 et seq.

VI. CAUSE OF ACTION

Brief description of cause:
Fair Debt Collection Practices Act

VII. REQUESTED IN COMPLAINT:

 CHECK IF THIS IS A CLASS ACTION UNDER F.R.C.P. 23

DEMAND \$

CHECK YES only if demanded in complaint:
JURY DEMAND: Yes No

VIII. RELATED CASE(S) IF ANY

(See instructions):

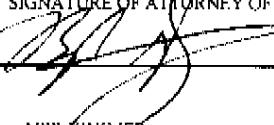
JUDGE

DOCKET NUMBER

DATE

December 28, 2006

SIGNATURE OF ATTORNEY OF RECORD



FOR OFFICE USE ONLY

RECEIPT # _____ AMOUNT _____

APPLYING IPP _____

JUDGE _____

MAG. JUDGE _____

ATTACHMENT TO LOCAL RULE 83.11

1. Is this a case that has been previously dismissed?

Yes
 No

If yes, give the following information:

Court: _____

Case No.: _____

Judge: _____

2. Other than stated above, are there any pending or previously discontinued or dismissed companion cases in this or any other court, including state court? (Companion cases are matters in which it appears substantially similar evidence will be offered or the same or related parties are present and the cases arise out of the same transaction or occurrence.)

Yes
 No

If yes, give the following information:

Court: _____

Case No.: _____

Judge: _____

Notes :
